



5 pgs

2018073563

**ASSUMPTION OF LIABILITY CERTIFICATE (the "Certificate")**

Obligee: Robert E Hebert County Judge of Fort Bend  
(Name & Address) 1124 Blume Rd  
Rosenburg, TX 77471

Principal: Lennar Homes of Texas Land and Construction Ltd  
(Name & Address) dba Friendswood Development Company  
681 Greens Parkway Ste 220  
Houston, TX 77067

Effective 7/27/2018 ("Effective Date"), this Certificate hereby provides for the assumption by Endurance Assurance Corporation (the "Surety") of future rights and liabilities as the surety under Bond Number [REDACTED] (the "Original Bond") previously issued in favor of the Obligee.

This certifies that the Surety, in consideration of the agreements and covenants herein contained and other good and valuable consideration, assumes future liability as the surety under the Original Bond.

**BY ISSUANCE OF THIS CERTIFICATE IT IS AGREED:**

1. That the Surety assumes future rights and liabilities as the surety under the Original Bond, which, as of the Effective Date, the Original Bond is now designated with a new bond number [REDACTED] (the "New Bond").
2. That the rights and future liabilities of the Surety under the New Bond: (a) shall be subject to all of the terms, conditions, limitations and warranties contained in the Original Bond and any written amendments or agreements thereto; and (b) shall in no event be greater than the penal sum of the Original Bond, including any written amendment, agreements or obligations stipulated in the Original Bond form thereto.
3. As of the Effective Date, all premiums paid in remittance of future billings under the New Bond will inure to the Surety.

IN WITNESS WHEREOF, the Surety has caused this Certificate to be duly executed as of the Effective Date.

Endurance Assurance Corporation  
(Surety)

By: Tracy L. Carlile  
Tracy L. Carlile, Attorney-in-Fact

Revised 2018.5.03

Sompo International  
1221 Avenue of the Americas, New York, NY 10020, U.S.  
+1.212.209.6500  
www.sompo-intl.com

CCM 6-26-2018 # 14A  
Fort Bend County Clerk  
Return Admin Serv Coord  
RAC

07/03/2018 Original sent to Jillian Peterson, Engineering dept.

ENDURANCE ASSURANCE CORPORATION

POWER OF ATTORNEY

Know all Men by these Present, that ENDURANCE ASSURANCE CORPORATION, a Delaware corporation (the "Corporation"), with offices at 4 Manhattanville Road, 3rd Floor, Purchase, NY 10577, has made, constituted and appointed and by these presents, does make, constitute and appoint CHRISTOPHER L. DOBBS, JALENE BROWN, TRACY L. CARLILE, KIM RICHARDS, DIANE HUNTER its true and lawful Attorney(s)-in-fact, at MT. JULIET in the State of TN and each of them to have full power to act without the other or others, to make, execute and deliver on its behalf, as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Corporation for any portion of the penal sum thereof in excess of the sum of TEN MILLION Dollars (\$10,000,000).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Corporation as fully and to the same extent as if signed by the President of the Corporation under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the Board of Directors of the Corporation by unanimous written consent on the 9th of January, 2014, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that in granting powers of attorney pursuant to certain resolutions adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014, the signature of such directors and officers and the seal of the Corporation may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, the Corporation has caused these presents to be duly signed and its corporate seal to be hereunto affixed and attested this 1st day of November, 2017 at Purchase, New York.

(Corporate Seal) ATTEST

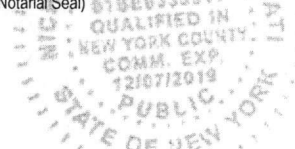
Marianne L. Wilbert signature
MARIANNE L. WILBERT, SENIOR VICE PRESIDENT

ENDURANCE ASSURANCE CORPORATION

By Sharon L. Sims signature
SHARON L. SIMS, SENIOR VICE PRESIDENT

STATE OF NEW YORK ss: PURCHASE
COUNTY OF WESTCHESTER

On the 1st day of November, 2017 before me personally came SHARON L. SIMS, SENIOR VICE PRESIDENT to me known, who being by me duly sworn, did depose and say that (s)he resides in SCOTCH PLAINS, NEW JERSEY that (s)he is a SENIOR VICE PRESIDENT of ENDURANCE ASSURANCE CORPORATION, the Corporation described in and which executed the above instrument; that (s)he knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that (s)he signed his (her) name thereto by like order.
(Notarial Seal)



Nicholas James Benenati signature

NICHOLAS JAMES BENENATI, Notary Public - My Commission Expires 12/07/2019

CERTIFICATE

STATE OF NEW YORK ss: PURCHASE
COUNTY OF WESTCHESTER

I, CHRISTOPHER DONELAN the PRESIDENT of ENDURANCE ASSURANCE CORPORATION, a Delaware Corporation (the "Corporation"), hereby certify:

- 1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of the Corporation and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Corporation any and all bonds, undertakings or obligations in surety or co-surety with others: CHRISTOPHER DONELAN, SHARON L. SIMS, MARIANNE L. WILBERT

And be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Corporation."

- 3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 8th day of May, 2018.

(Corporate Seal)

Christopher Donelan signature
CHRISTOPHER DONELAN, PRESIDENT

Any reproductions are void.
Primary Surety Claims Submission: suretybondclaims@sompo-intl.com
Surety Claims Hotline: 877-676-7575

Mailing Address: Surety Claims Department, Sompo International, 1221 Avenue of the Americas, 18th Floor, New York, NY 10020

# Texas Department of Insurance Amended Certificate of Authority

License no. 96259

Licensed since: December 27, 2007

Department Certification

**Endurance Assurance Corporation**  
(foreign stock fire and casualty company)  
organized under the laws of the state of Delaware

This entity has complied with the laws of the state of Texas, as applicable, and is authorized to transact the following lines of insurance:

**Accident, Aircraft Liability, Aircraft Physical Damage, Allied Coverages, Auto Physical Damage, Automobile Liability, Boiler & Machinery, Burglary & Theft, Credit, Employers' Liability, Fidelity & Surety, Fire, Forgery, Glass, Hail, Health, Inland Marine, Liability Other than Auto, Livestock, Ocean Marine, Rain, Workers Comp and Emp Liability**

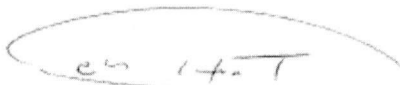
This amended certificate of authority is in full force and effect until it is revoked, canceled, or suspended according to law.

Given under my hand and official seal of office  
in the city of Austin,

September 29, 2016

DAVID C. MATTAX  
COMMISSIONER OF INSURANCE

BY



Jeff Hunt, Director  
Company Licensing and Registration  
Commissioner's order no. 3632



ENDURANCE ASSURANCE CORPORATION

Balance Sheet - Statutory Basis

December 31, 2017

**Assets:**

Bonds	\$	1,017,941,883
Common stocks of subsidiaries		495,159,214
Other invested assets		18,251,701
Cash, cash equivalents, and short-term assets		94,257,682
Receivable for securities		13,105
Total cash and invested assets		<u>1,625,623,585</u>

Agents' balances or uncollected premiums		360,112,421
Reinsurance recoverable on loss and loss adjustment expense payments		9,044,841
Funds held by or deposited with reinsurance companies		15,865,750
Net deferred tax assets		23,360,063
Net deposit assets		13,159,195
Current federal income tax recoverable		6,274,501
Investment income due and accrued		5,094,425
Other admitted assets		480,522
Total admitted assets	\$	<u><u>2,059,015,303</u></u>

**Liabilities:**

Loss and loss adjustment expenses	\$	604,289,380
Reinsurance payable on paid loss and loss adjustment expenses		5,435,818
Unearned premiums		283,094,767
Ceded reinsurance premiums payable		176,734,568
Commissions payable, contingent commissions and other similar items		(4,812,114)
Amounts withheld or retained by company for account of others		28,904,629
Other expenses payable		24,213,227
Net deposit liability		8,816,664
Payable to parent, subsidiaries and affiliates		8,139,892
Provision for reinsurance		18,098,492
Other liabilities		14,621,770
Total Liabilities		<u>1,167,537,093</u>

**Capital and surplus:**

Special surplus funds - retroactive reinsurance gain		1,286,508
Common capital stock		5,000,000
Gross paid in and contributed surplus		1,214,000,000
Unassigned deficit		(328,808,298)
Total capital and surplus		<u>891,478,210</u>

Total liabilities and capital and surplus	\$	<u><u>2,059,015,303</u></u>
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I, Stan Osofsky, Treasurer of Endurance Assurance Corporation (the "Company") do hereby certify that to the best of my knowledge and belief, the foregoing is a full and true Statutory Statement of Admitted Assets, Liabilities, Capital and Surplus of the Company as of December 31, 2017 prepared in conformity with accounting practices prescribed or permitted by the State of Delaware Department of Insurance. The foregoing statement should not be taken as a complete statement of financial condition of the Company. Such a statement is available upon request at the Company's office located at 4 Manhattanville Road, 3rd floor, Purchase, NY 10577.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Company.

Stan Osofsky

Subscribed and sworn to before me this 26<sup>th</sup> day of March 2018

*Nicholas James Benenati*

NICHOLAS JAMES BENENATI  
 NOTARY PUBLIC-STATE OF NEW YORK  
 NO 01BE6333911  
 QUALIFIED IN NEW YORK COUNTY  
 MY COMMISSION EXPIRES 12-07-2019

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Laura Richard*

Laura Richard, County Clerk

Fort Bend County Texas

July 02, 2018 02:00:43 PM



FEE: \$0.00

RMM

**2018073563**